

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**

BAD RIVER BAND OF THE LAKE SUPERIOR
TRIBE OF CHIPPEWA INDIANS OF THE BAD
RIVER RESERVATION, *Plaintiff*,

v.

ENBRIDGE ENERGY COMPANY, INC., and
ENBRIDGE ENERGY, LP, *Defendants*.

ENBRIDGE ENERGY, LP, *Counter-Plaintiff*,

v.

BAD RIVER BAND OF THE LAKE SUPERIOR
TRIBE OF CHIPPEWA INDIANS OF THE BAD
RIVER RESERVATION and NAOMI TILLISON,
in her official capacity, *Counter-Defendants*.

Misc. Action No. ____

(Civil Action No. 3:19-cv-00602,
Pending in the United States District
Court for the Western District of
Wisconsin before Judge William M.
Conley)

[PROPOSED] ORDER

This matter came before the Court on the Motion to Compel filed by Defendant/Counterclaimant Enbridge Energy, Limited Partnership (“Enbridge”). Upon consideration of Enbridge’s Motion, National Wildlife Federation’s (“NWF”) Opposition, Enbridge’s Reply, and oral argument before the Court, the Court orders the following:

1. Enbridge’s Motion to Compel is Granted;
2. NWF shall produce to Enbridge all non-privileged communications responsive to Enbridge’s Subpoena within eleven (11) days of the date of this Order; and/or
3. NWF shall produce a privilege log of all communications for which a valid claim of privilege exists within eleven (11) days of the date of the Court’s Order, without waiver of any or all of Enbridge’s rights to challenge any entries on that log.

Dated: March __, 2021

Judge